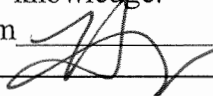
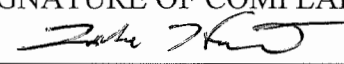



CRIMINAL COMPLAINT
(Electronically Submitted)

United States District Court	DISTRICT of ARIZONA
United States of America v. Xavier Joaquin Colgan ; DOB: 2002, United States Stefany Borja ; DOB: 1966; United States	DOCKET NO. MAGISTRATE'S CASE NO. 22-05910MJ
Complaint for violation of Title 8 United States Code § 1324(a)(1)(A) (ii), 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i).	
<p>COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:</p> <p>On or about June 24, 2022, in the District of Arizona, Xavier Joaquin Colgan and Stefany Borja, named herein as defendants and conspirators, did knowingly and intentionally combine, conspire, confederate, and agree with each other and other persons, known and unknown, to transport certain illegal aliens, including Jose Miguel Garcia-Hoh, and did so for the purpose of private financial gain; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii), 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i).</p>	
<p>BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:</p> <p>On or about June 24, 2022, in the District of Arizona (Naco), a United States Border Patrol Agent (BPA) manning an observation point witnessed several suspected undocumented non-citizens (UNC) wearing camouflage clothing loading into three separate vehicles, including a 2017 black Ford Edge. BPA conducted a vehicle stop and observed several subjects in camouflage clothing lying in the backseat of the Ford as he approached. The driver of the Ford was identified as Xavier Joaquin Colgan, and the front seat passenger was identified as Stefany Borja. There were eight UNCs located in the back of the Ford, all of whom were found to be illegally present in the United States.</p> <p>In a post-<i>Miranda</i> statement, Colgan stated he and Borja traveled to Sierra Vista specifically with the intent of picking-up and transporting UNCs. When asked who the eight individuals were that were found in the back of his vehicle, he stated "immigrants." Colgan further stated he would be paid \$500 USD for each UNC they picked up.</p> <p>In a post-<i>Miranda</i> statement, Borja stated she was recruited by a friend to smuggle UNCs and had been doing so for approximately one month. Borja said that she traveled to Sierra Vista specifically with the intent to pick up and transport UNCs to Phoenix, where she would receive \$500 USD per person transported. Borja said she has made over \$100,000 to date smuggling UNCs.</p> <p>In a post-<i>Miranda</i> statement, material witness Jose Miguel Garcia-Hoh admitted to being a citizen of Guatemala and paying 70,000 Mexican Pesos to be smuggled into the United States. Garcia-Hoh stated he crossed the border fence on June 24, 2022 and walked for approximately 3 to 4 hours before encountering the black Ford Edge. He stated the trunk of the vehicle was open and that he climbed in. He provided physical descriptions of Colgan and Borjas and, in two separate photo line-ups, identified Colgan and Borjas as the driver and passenger of the Ford.</p>	
MATERIAL WITNESSES IN RELATION TO THE CHARGE: Jose Miguel Garcia-Hoh	
Detention Requested Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge. AUTHORIZED BY: AUSA HNS/arm 	SIGNATURE OF COMPLAINANT  <hr/> OFFICIAL TITLE Border Patrol Agent
Sworn by telephone <input checked="" type="checkbox"/>	
SIGNATURE OF MAGISTRATE JUDGE ¹⁾ 	DATE June 27, 2022

¹⁾ See Federal rules of Criminal Procedure Rules 3, 4.1, and 54